

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FELISHATAY ALVARADO	:	
Plaintiff	:	Civil Action No. 22-3763
	:	
v.	:	
	:	
CITY OF PHILADELPHIA, <i>et al.</i>	:	

PLAINTIFF’S PROPOSED VERDICT FORM

We, the jury, unanimously find the following by a preponderance of the evidence:

(1) Did any of the following Defendants intentionally commit an act that violated Plaintiff, Felishatay Alvarado’s Fourth Amendment right to be free from unreasonable searches and seizures?

Joshua Burkitt	YES	_____	NO	_____
Eric Clark	YES	_____	NO	_____
Kevin Mellody	YES	_____	NO	_____
Brian Murray	YES	_____	NO	_____
Patrick Saba	YES	_____	NO	_____
Demetrius Monk	YES	_____	NO	_____
Edward Song	YES	_____	NO	_____
Jose Hamoy	YES	_____	NO	_____

IF YOU ANSWERED "YES" TO PART 1 FOR ANY OF THE ABOVE DEFENDANTS, GO TO PART 2. IF YOU ANSWERED “NO” TO PART 1 FOR ALL OF THE ABOVE DEFENDANTS, GO TO PART 6.

(2) Did any of acts of the following Defendants described in Part 1 above cause any injury to Plaintiff, Felishatay Alvarado?

Joshua Burkitt	YES	_____	NO	_____
Eric Clark	YES	_____	NO	_____
Kevin Mellody	YES	_____	NO	_____
Brian Murray	YES	_____	NO	_____
Patrick Saba	YES	_____	NO	_____
Demetrius Monk	YES	_____	NO	_____
Edward Song	YES	_____	NO	_____
Jose Hamoy	YES	_____	NO	_____

IF YOU ANSWERED "YES" TO PART 2 FOR ANY OF THE ABOVE DEFENDANTS, GO TO PART 3. IF YOU ANSWERED "NO" TO PART 1 FOR ALL OF THE ABOVE DEFENDANTS, GO TO PART 6.

(3) Please state the amount of money that will fairly compensate Plaintiff, Felishatay Alvarado, for any and all injury that she sustained due to the conduct of each of the Defendants (only award damages against the individual Defendants for whom you answered "YES" in both Part 1 and 2).

Joshua Burkitt	\$ _____
Eric Clark	\$ _____
Kevin Mellody	\$ _____
Brian Murray	\$ _____
Patrick Saba	\$ _____

Demetrius Monk \$ _____

Edward Song \$ _____

Jose Hamoy \$ _____

AFTER ANSWERING PART 3, GO TO PART 4.

(4) For each of the following individual Defendants for whom you answered “YES” in both Part 1 and 2, now please answer whether each of the following Defendants acted maliciously or wantonly in violating Plaintiff, Felishatay Alvarado’s rights?

Joshua Burkitt YES _____ NO _____

Eric Clark YES _____ NO _____

Kevin Mellody YES _____ NO _____

Brian Murray YES _____ NO _____

Patrick Saba YES _____ NO _____

Demetrius Monk YES _____ NO _____

Edward Song YES _____ NO _____

Jose Hamoy YES _____ NO _____

IF YOU ANSWERED “YES” TO PART 4, GO TO PART 5. OTHERWISE, GO TO PART 6.

(5) Do you award punitive damages against the following individual Defendants for whom you answered “YES” in Part 4?

Joshua Burkitt YES _____ NO _____

If yes, in what amount? \$ _____

Eric Clark YES _____ NO _____

If yes, in what amount? \$ _____

Kevin Mellody YES NO _____

If yes, in what amount? \$ _____

Brian Murray YES NO _____

If yes, in what amount? \$ _____

Patrick Saba YES NO _____

If yes, in what amount? \$ _____

Demetrius Monk YES NO _____

If yes, in what amount? \$ _____

Edward Song YES NO _____

If yes, in what amount? \$ _____

Jose Hamoy YES NO _____

If yes, in what amount? \$ _____

ONCE FINISHED WITH PART 5, GO TO PART 6.

(6) Do you find by a preponderance of the evidence that Plaintiff, Felishatay Alvarado's Fourth Amendment right to be free from unreasonable searches and seizures was violated and that the injury suffered by Plaintiff, Felishatay Alvarado, was the result of a failure by Defendant, City of Philadelphia, to properly train its SWAT Officers regarding the Knock and Announce Rule and/or how to properly conduct reconnaissance before enforcing a warrant?

YES NO _____

IF YOU ANSWERED “YES” TO PART 6, GO TO PART 7. OTHERWISE, STOP.

(7) Please state the amount of money that will fairly compensate Plaintiff, Felishatay Alvarado, for any and all injury that she sustained due to the failure of Defendant, City of Philadelphia, to train its SWAT Officers regarding the Knock and Announce Rule and/or how to properly conduct reconnaissance before enforcing a warrant?

\$ _____

SO SAY WE ALL, this ____ day of _____, 2024

Foreperson

Respectfully submitted,

/s/ Keith West

Keith West, Esquire

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